

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

<p>TAL PROPERTIES OF POMONA, LLC, and AVROHOM MANES,</p> <p style="text-align: right;"><i>Plaintiffs,</i></p> <p style="text-align: center;"><i>-against-</i></p> <p>VILLAGE OF POMONA, BRETT YAGEL, MAYOR OF THE VILLAGE OF POMONA, and DORIS ULMAN,</p> <p style="text-align: right;"><i>Defendants.</i></p>	<p style="text-align: center;">17-CV-02928 (CS)</p> <p style="text-align: center;"><b><u>DECLARATION OF</u></b> <b><u>BRADLEY J. NASH IN SUPPORT OF</u></b> <b><u>MOTION FOR RELIEF FROM</u></b> <b><u>ORDER AND JUDGMENT</u></b></p>
--	---

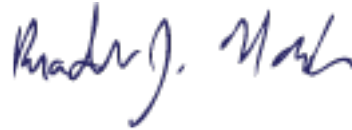
Pursuant to 28 U.S.C. § 1746, Bradley J. Nash, an attorney duly licensed to practice before this Court, declares the following to be true under penalty of perjury under the laws of the United States of America:

1. I am counsel for the Plaintiffs Tal Properties of Pomona, LLC and Avrohom Manes in the above-captioned matter.
2. I make this declaration in support of Plaintiffs' motion for relief from the order of this Court, dated January 10, 2018, granting Defendants' motion to dismiss the Complaint (the "Order"), and the judgment of dismissal, entered on January 12, 2018 (the "Judgment"), pursuant to Fed. R. Civ. P. 60(b)(2), based on newly-discovered evidence, and 60(b)(3), based on Defendants' misconduct in failing to provide land and building records regarding comparable properties in response to Plaintiffs' FOIL requests.
3. The purpose of this declaration is to place before the Court certain documents referenced in the accompanying memorandum of law.
4. Attached hereto as **Exhibit 1** is a true and correct copy of the Second Amended Complaint in this action, filed on September 7, 2017.

5. Attached hereto as **Exhibit 2** is a true and correct copy of the transcript of the oral argument in this matter on January 10, 2018. The Court granted Defendants' motion to dismiss the Complaint on the record.

6. Attached hereto as **Exhibit 3** is a true and correct copy of the judgment of dismissal entered in this action on January 12, 2018.

Dated: November 2, 2018  
New York, New York

A handwritten signature in blue ink, appearing to read "Bradley J. Nash". The signature is written in a cursive, flowing style.

---

**BRADLEY J. NASH**